

MINUTES OF A REGULAR MEETING OF THE CITY COUNCIL
OF THE CITY OF CHULA VISTA

February 19, 2002

6:00 P.M.

A Regular Meeting of the City Council of the City of Chula Vista was called to order at 6:05 p.m. in the Council Chambers, located in the Public Services Building, 276 Fourth Avenue, Chula Vista, California.

ROLL CALL:

PRESENT: Councilmembers Davis, Rindone, Padilla, and Salas

ABSENT: Mayor Horton

ALSO PRESENT: City Manager Rowlands, Senior Assistant City Attorney Moore, and City Clerk Bigelow

PLEDGE OF ALLEGIANCE TO THE FLAG, MOMENT OF SILENCE

SPECIAL ORDERS OF THE DAY

- OATH OF OFFICE: GREG ALABADO – HOUSING ADVISORY COMMISSION

City Clerk Bigelow administered the oath to Greg Alabado, and Councilmember Salas presented him with a certificate of appointment.

- PRESENTATION OF A PROCLAMATION BY MAYOR HORTON TO CAPTAIN JOEL BOWMAN, REPRESENTING THE POLICE RESERVES, AND CAPTAIN DAVID LOWE, REPRESENTING THE MOUNTED POLICE, PROCLAIMING FEBRUARY 23, 2002 AS LAW ENFORCEMENT POLICE RESERVE AND MOUNTED OFFICER DAY IN THE CITY OF CHULA VISTA

Deputy Mayor Padilla read the proclamation, and Councilmember Salas presented it to Captain Bowman and Lieutenant Gove, who represented the Mounted Police in the absence of Captain Lowe.

- PRESENTATION OF A CHECK IN THE AMOUNT OF \$11,132.80 TO THE CITY BY KATE BREZINA, MARKETING ASSISTANT, AND FRANK WHITE, PROGRAM ADMINISTRATOR FOR SAN DIEGO REGIONAL ENERGY OFFICE, AS AN INCENTIVE BONUS FOR INSTALLATION OF A COOL ROOF ON VARIOUS BUILDINGS AT THE NEW CORPORATION YARD - MICHAEL MEACHAM, SPECIAL OPERATIONS MANAGER, WILL ACCEPT THE CHECK

San Diego Regional Energy Office administrator Kate Brezina presented the check to Rick Matkin and Willie Gaters, who accepted it on behalf of Michael Meacham.

CONSENT CALENDAR
(Items 1 through 6)

Item #3 was pulled at the request of staff; and Item #6 was pulled for discussion by Councilmember Rindone.

1. APPROVAL OF MINUTES of February 12, 2002.

Staff recommendation: Council approve the minutes.

2. WRITTEN COMMUNICATIONS

- A. Letter of resignation from Peter Morlon, member of the Design Review Committee.

Staff recommendation: Council accept the resignation and direct the City Clerk to post immediately according to Maddy Act requirements.

- B. Memorandum from the Assistant to the Mayor and Council stating that Alba Roberson, member of the Commission on Aging, has multiple unexcused absences and cannot be contacted.

Staff recommendation: Council declare the seat vacant and direct the City Clerk to post immediately according to Maddy Act requirements.

4. RESOLUTION NO. 2002-046, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING FINAL MAP OF CHULA VISTA TRACT NO. 99-03, EASTLAKE TRAILS NORTH TN-7, ACCEPTING ON BEHALF OF THE CITY OF CHULA VISTA THE VARIOUS EASEMENTS, ALL AS GRANTED ON SAID MAP WITHIN SAID SUBDIVISION, AND APPROVING THE SUBDIVISION IMPROVEMENT AGREEMENT FOR THE COMPLETION OF IMPROVEMENTS REQUIRED BY SAID SUBDIVISION AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

On May 4, 1999, the City Council approved the tentative subdivision map for Chula Vista Tract No. 99-03, EastLake Trails, which included the subject property as a sheet-graded pad labeled as TN-7. Adoption of the resolution approves the final map and subdivision improvement agreement. (Director of Public Works)

Staff recommendation: Council adopt the resolution.

5. RESOLUTION NO. 2002-047, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING A FIRST AMENDMENT TO A THREE-PARTY AGREEMENT BETWEEN THE CITY OF CHULA VISTA, LINSOTT, LAW & GREENSPAN, ENGINEERS (CONSULTANT), AND THE EASTLAKE COMPANY, LLC, AND AUTHORIZING THE MAYOR TO EXECUTE SAID FIRST AMENDMENT

CONSENT CALENDAR (Continued)

On September 19, 2001, the City of Chula Vista, The EastLake Company, LLC (Applicant), and Linscott, Law and Greenspan, Engineers (Consultant,) entered into an agreement for the preparation of a traffic impact analysis and a report on a project known as EastLake Village Center North, located at the northwest and northeast corners of Eastlake Parkway and Otay Lakes Road. The applicant has changed the proposed retail commercial and limited manufacturing land use acreage and increased the retail commercial floor space. These project changes require a revision to the previously prepared traffic analysis. Adoption of the resolution approves an amendment to the agreement with Linscott, Law & Greenspan Engineers for \$10,000 to revise the traffic impact analysis for Eastlake Village Center North in accordance with a new project description submitted by the applicant. (Director of Planning and Building)

Staff recommendation: Council adopt the resolution.

ACTION: Councilmember Davis moved to approve staff recommendations and offered Consent Calendar Items #1, #2, #4 and #5, headings read, texts waived. The motion carried 4-0.

3. RESOLUTION NO. 2002-045, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA WAIVING THE CONSULTANT SELECTION PROCESS AND APPROVING AN AGREEMENT BETWEEN THE CITY OF CHULA VISTA AND LINDA BARTZ & ASSOCIATES, FOR THE PROVISION OF LEGAL SERVICES NEEDED FOR THE ACQUISITION OF RIGHT-OF-WAY REQUIRED FOR THE CONSTRUCTION OF THE SALT CREEK GRAVITY SEWER INTERCEPTOR AND THE WOLF CANYON TRUNK SEWER, AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT

The consultant, Linda Bartz & Associates, currently has a contract with the City for the provision of legal services for a variety of projects. Under this contract, the consultant has provided some services relative to the acquisition of right-of-way for the construction of the Salt Creek gravity sewer interceptor (SW219) and the Wolf Canyon trunk sewer (SW225) projects. However, as design work on the Salt Creek project progressed, it became evident that the consultant's services would be required to a larger extent than was originally anticipated. (Director of Public Works/City Attorney)

Deputy Mayor Padilla requested that the letter presented to the Council from Linda Bartz & Associates be made part of the record.

Linda Bartz stated that the letter provides a chronology of events in response to the letter submitted by Otay Land Company, LLC on February 12, 2002.

Dave Adams, 3062 Anderson Street, Bonita, requested a copy of the correspondence submitted by Linda Bartz & Associates.

ACTION: Councilmember Davis offered Resolution No. 2002-045, heading read, text waived. The motion carried 4-0.

CONSENT CALENDAR (Continued)

- 6 A. RESOLUTION NO. 2002-048, RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA APPROVING THE CITY OF CHULA VISTA'S JURISDICTIONAL URBAN RUNOFF MANAGEMENT PROGRAM (JURMP) DOCUMENT AND AUTHORIZING SUBMITTAL OF THE SAME TO THE SAN DIEGO REGIONAL WATER QUALITY CONTROL BOARD
- B. ORDINANCE NO. 2854, ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA AMENDING SECTIONS 14.20.010, 14.20.020, 14.20.030, 14.20.040, 14.20.100, 14.20.110, 14.20.120, 14.20.200, 14.20.220, 14.20.230, 14.20.310, 14.20.320, 14.20.340, AND ADDING SECTIONS 14.20.160 AND 14.20.170 TO THE CHULA VISTA MUNICIPAL CODE, ALL UNDER CHAPTER 14.20, RELATING TO STORM WATER MANAGEMENT AND DISCHARGE CONTROL

Eighteen municipalities of San Diego County, including Chula Vista, as well as the San Diego Unified Port District and the County of San Diego, are required to prepare and submit individual JURMP documents to the San Diego Regional Water Quality Control Board no later than February 21, 2002. The City of Chula Vista's JURMP document outlines the City's program, for the remaining life of the permit (4 years), to prevent discharge of polluted water to the waters of the United States. Additional staff in the Storm Water Management Unit of the Public Works Department/Engineering Division is needed to respond to the increased building project reviews and site inspections required by the new National Pollutant Discharge Elimination System Municipal Permit Order No. 2001-01. (Director of Public Works)

Councilmember Rindone asked staff how funding and implementation of the permit would occur. Public Works Director Lippitt responded that staff did not yet have a finalized cost projection but that the estimated projection was based on cost figures from other agencies. Staff will return with a detailed report in the next few weeks. City Manager Rowlands stated that the intent for funding was to impose a user fee. Councilmember Davis expressed concern as to how compliance for the west side would be achieved and funded in the future. Public Works Director Lippitt responded that requirements for newer developments are more stringent; the cleaning of storm drains will occur more often; and known trouble areas will be given more attention.

ACTION: Councilmember Rindone offered Resolution No. 2002-048 for adoption and Ordinance No. 2854 for first reading, headings read, texts waived. The motion carried 4-0.

ORAL COMMUNICATIONS

James Clements, 1553 Ajay Street, El Cajon, stated that he is one of five long-term employees of the Otay Water District who were wrongfully terminated last year by Otay's General Manager Griego, at the direction of the Otay Board of Directors. The reason for the terminations was stated as being that those particular jobs were being eliminated to reduce expenses. Mr. Clements stated that he has since learned that the true reason for the terminations was to make room for cronies of board members and to eliminate employees who had angered a vindictive board member or who were aware of what was happening at the district. He explained that the Board then raised the salary of the general manager to \$145,000, making him the highest paid general manager of a water district in the state. In addition, new senior managers were employed without undertaking a competitive hiring process and were given salaries equivalent to that of the general manager. Mr. Clements cautioned that Chula Vista ratepayers may see an increase in their water bills resulting from increased spending and attorney's fees for misdeeds and illegal actions by Otay District management and the Board. He favored the dissolution of the district.

OTHER BUSINESS

7. CITY MANAGER'S REPORTS

City Manager Rowlands reported that an editorial regarding Chula Vista traffic issues was broadcast on Channel 10 on February 18, 2002; and the station may give the City the opportunity to provide a rebuttal to the editorial. He pointed out that from 1999 through 2001, the Council approved \$54.8 million for new streets; and \$30.7 million has been approved for this calendar year. Councilmember Salas felt it was important to clarify to the community that new roadways are paid for in advance by developers.

8. MAYOR'S REPORTS

There were none.

9. COUNCIL COMMENTS

Councilmember Salas thanked the Chula Vista and San Diego police officers for their joint efforts in the swift capture of the murderer of an elderly Chula Vista woman.

Councilmember Salas spoke of the number of homeless people living in the lower Sweetwater Valley and regional park and asked the City Manager to provide regular and consistent police patrols in the area, as well as around the shopping area off Highway 54.

ADJOURNMENT

At 6:43 p.m., Deputy Mayor Padilla adjourned the meeting to the Regular Meeting of February 26, 2002, at 6:00 p.m. in the Council Chambers.

Susan Bigelow, CMC, AAE, City Clerk